

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SHELLERY MOORE,

Case No. 2:17-cv-02005-JCM-NJK

Plaintiff,

ORDER

V.

FOSTER, *et al.*,

Defendants.

14 Presently before the court is the matter of *Moore v. Foster et al*, case no. 2:17-cv-02005-
15 JCM-NJK.

16 Currently under the court’s consideration in this pro se prisoner’s civil rights case is
17 defendants Cynthia Ruiz and Sheryl Foster’s motion for summary judgment. (ECF No. 21). In
18 lieu of a response to this motion, plaintiff Shelly Moore (“plaintiff”) filed a response to one of
19 the court’s previous orders in this matter, wherein plaintiff urges the court to (1) make “full
20 discovery” available to plaintiff; (2) appoint counsel to represent plaintiff; and (3) allow this case
21 to proceed to trial. (ECF No. 29). Although not styled as a motion, the court will address
22 plaintiff’s various requests.

23 First, the scheduling order (the “scheduling order”) entered in this case on October 31,
24 2018, expressly states that discovery in this case was to be completed no later than January 29,
25 2019. (ECF No. 18). The scheduling order went on to state with particularity the procedures
26 that the parties must follow in the event that they required an extension of the discovery
27 deadlines or any other discovery-related relief. *Id.* The scheduling order provided that all
28 discovery motions were to be filed by February 12, 2019. *Id.*

1 Because plaintiff has not provided the court with any context or specific allegations with
2 respect to her request that “full discovery” be made available to her, and because the deadline for
3 filing discovery-related motions has passed, the court will not reopen discovery at this stage in
4 the litigation, absent an appropriate motion or stipulation.

5 Second, the court has already denied plaintiff's previous motion for appointment of
6 counsel in its March 1, 2018, screening order. (ECF No. 4). There, the court found that no
7 exceptional circumstances existed to warrant the appointment of counsel. *Id.* Because plaintiff
8 does not set forth an adequate motion for reconsideration of this matter, the court declines the
9 opportunity to revisit this issue.

10 Finally, plaintiff urges the court to allow this case to proceed to trial. (ECF No. 29). This
11 issue will be determined by the outcome of defendants' motion for summary judgment.
12 Therefore, the court finds good cause to allow plaintiff an extension of time to file a response to
13 defendants' motion. Accordingly, the court will grant plaintiff thirty (30) days from the date of
14 this order to file a response to defendants' motion for summary judgment. If plaintiff files a
15 response, defendants shall have fourteen (14) days to file a reply. No further extensions of time
16 will be granted to either party.

17 | Accordingly,

18 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff may file,
19 within thirty (30) days from the date of this order, a response to defendants' motion for summary
20 judgment. (ECF No. 21). If plaintiff files a response, defendants shall have fourteen (14) days
21 from the date the response is filed to file a reply, if any.

22 | IT IS SO ORDERED.

23 DATED THIS 15th day of July 2019.

JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE